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HOUSE BILL NO. 5

INTRODUCED BY M. HOPKINS, J. FITZPATRICK

BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY FOR MAJOR REPAIR AND CAPITAL DEVELOPMENT PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2025; PROVIDING FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; PROVIDING FOR A TRANSFER OF FUNDS FROM THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT TO THE MAJOR REPAIR LONG-RANGE BUILDING PROGRAM ACCOUNT AND FOR A TRANSFER OF FUNDS FROM THE STATE GENERAL FUND TO THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT; PROVIDING FUNDING FOR RATE INCREASES TO ALLOW CONSTRUCTION; AMENDING THE DEFINITION OF AN LRBP-ELIGIBLE BUILDING; PROVIDING FOR AN EMERGENCY SHELTER FACILITY INFRASTRUCTURE GRANT PROGRAM AND CRITERIA; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTION 17-7-201, MCA; AMENDING SECTION 1(4), CHAPTER 468, LAWS OF 2021, AND SECTION 2(1), CHAPTER 461, LAWS OF 2021; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Definitions.** As used in [sections 1 through 4011], unless the context clearly indicates otherwise, the following definitions apply:

(1) "Authority only" means approval provided by the legislature to expend money that does not require an appropriation, including grants, donations, auxiliary funds, proprietary funds, nonstate funds, and university funds.

(2) "Capital development" means capital projects provided for in 17-7-201(2).

(3) "Capital project" means the planning, design, renovation, construction, alteration, replacement, furnishing, repair, improvement, site, utility, or land acquisition project provided for in ~~[sections 1 through 10]~~ [SECTIONS 1 THROUGH 11].

(4) "LRBP capital development" means the long-range building program capital developments

1 account in the capital projects fund type provided for in 17-7-209.

2 (5) "LRBP major repair" or "LRBP MR" means the long-range building program major repair  
3 account in the capital projects fund type provided for in 17-7-221.

4 (6) "Major repair" means capital projects provided for in 17-7-201(7).

5 (7) "Other funding sources" means money other than LRBP money, state special revenue, or  
6 federal special revenue that accrues to an agency under the provisions of law.

7 (8) "SBCEP" means funds from the state building energy conservation program account in the  
8 capital projects fund type, which may be utilized on either or both major repair and capital development  
9 projects.

10  
11 **NEW SECTION. Section 2. Major repair projects appropriations and authorizations.** (1) The  
12 following money is appropriated to the department of administration for the indicated major repair projects from  
13 the indicated sources. Funds not requiring legislative appropriation are included for the purpose of  
14 authorization. The department of administration is authorized to adjust capital project amounts within the  
15 legislative intent of the major repair account-funded projects, subject to available revenues, if approved by the  
16 office of budget and program planning, and transfer the appropriations, authority, or both among the necessary  
17 fund types for these projects:

Agency/Project	LRBP	State	Federal	Authority	Total
	MR	Special	Special	Only	
	Fund	Revenue	Revenue	Sources	
21 DPHHS Supplemental MSH Wastewater Treatment					
	1,400,000				1,400,000
23 Inflationary adjustment funding is provided for the project in section 9, Chapter 476, Laws of 2019.					
24 DPHHS Supplemental MSH Hospital Roof					
	800,000				800,000
26 Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.					
27 DPHHS Supplemental MMHNCC Roof Replacement					
	1,500,000				1,500,000

**Amendment - 2nd Reading-yellow - Requested by: Bill Mercer - (H) Committee of the Whole**

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.002.002

1	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
2	DOC Supplemental MSP/MWP/PHYCF/Xanthopolous Door Control Systems		
3	450,000		450,000
4	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
5	MSDB Supplemental Mustang Center Fire Sprinkler System		
6	830,854		830,854
7	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
8	MUS UM Supplemental FLBS Sewer Treatment Plant		
9	1,100,000		1,100,000
10	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
11	MUS UM Supplemental Mansfield Library Roof Repair		
12	500,000		500,000
13	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
14	MUS MSU-N Supplemental Vande Bogart Library Roof Replacement		
15	675,000		675,000
16	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
17	DPHHS Supplemental MVH Roof Replacement		
18	1,600,000		1,600,000
19	State special revenue funds consist of cigarette taxes provided for in 16-11-119. Inflationary adjustment		
20	funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
21	MUS MSU Supplemental Reid Hall Fire System Upgrades		
22	1,000,000		1,000,000
23	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
24	MUS MSU-N Supplemental Brockmann Center HVAC Upgrade		
25	1,907,320		1,907,320
26	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
27	MUS UM Supplemental Clapp Building Elevator		
28	500,000		500,000

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- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.002.002

1	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
2	MUS UM Supplemental Stone Hall Roof Replacement		
3	800,000		800,000
4	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
5	DNRC Supplemental Swan Lake Office Siding		
6	187,687		187,687
7	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
8	DPHHS Supplemental MVH Courtyard Improvements		
9	517,000		517,000
10	State special revenue funds consist of cigarette taxes provided for in 16-11-119. Inflationary adjustment		
11	funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
12	DPHHS Supplemental MVH Flooring		
13	367,000		367,000
14	State special revenue funds consist of cigarette taxes provided for in 16-11-119. Inflationary adjustment		
15	funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
16	DPHHS Supplemental MVH ARPA HVAC		
17	423,039		423,039
18	State special revenue funds consist of cigarette taxes provided for in 16-11-119. Inflationary adjustment		
19	funding is provided for the project in section 20, Chapter 401, Laws of 2021.		
20	<u>MUS UM-HC SUPPLEMENTAL DONALDSON BUILDING HVAC</u>		
21	<u>1,000,000</u>		<u>1,000,000</u>
22	<u>INFLATIONARY ADJUSTMENT FUNDING IS PROVIDED FOR THE PROJECT IN SECTION 2, CHAPTER 461, LAWS OF</u>		
23	<u>2021.</u>		
24	<u>MUS MSU SUPPLEMENTAL MONTANA HALL FIRE SYSTEM UPGRADES</u>		
25	<u>220,000</u>		<u>220,000</u>
26	DOA Parking Garage Repairs, 5 Last Chance Gulch		
27	1,808,145		1,808,145
28	DOC MSP Red Light/Emergency Notification System		

**Amendment - 2nd Reading-yellow - Requested by: Bill Mercer - (H) Committee of the Whole**

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.002.002

1		1,000,000	1,000,000
2	DOC MSP Perimeter Fence Enhancement		
3		1,500,000	1,500,000
4	MSDB Campus Security Camera Install		
5		300,000	300,000
6	MUS GFC Fire Suppression System Upgrades		
7		500,000	500,000
8	DLI Billings UI Call Center Repairs		
9		1,000,000	1,000,000
10	DOC Pine Hills Roof Replacement		
11		1,000,000	1,000,000
12	DOC Eastmont HVAC System Repairs/Replacements		
13		200,000	200,000
14	<del>DPHHS MMHNCC Site Improvements &amp; Increase Parking</del>		
15	<del>_____</del>	<del>300,000</del>	<del>300,000</del>
16	DPHHS MMHNCC Key Card Entry System		
17		125,000	125,000
18	<del>DPHHS MMHNCC Backup Water Well</del>		
19	<del>_____</del>	<del>200,000</del>	<del>200,000</del>
20	MSDB Create Bus Loop and Update Parking Lot		
21		349,637	349,637
22	MUS MSU Barnard Hall Failed Chiller Replacement		
23		1,750,000	1,750,000
24	DOC MWP Cooling System Upgrade		
25		750,000	750,000
26	DOJ MLEA Boiler Replacement, Admin Building		
27		830,000	830,000
28	DOA Original Governor's Mansion Repairs		

**Amendment - 2nd Reading-yellow - Requested by: Bill Mercer - (H) Committee of the Whole**

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.002.002

1	600,000		600,000
2	DOJ MHP Roof Replacements & <u>UPGRADES</u> , Boulder Campus		
3	1,860,000		1,860,000
4	MUS UM Priority 1 Campuswide Roof Replacements		
5	2,425,000		2,425,000
6	DOC Facility-Specific Program & Master Plan		
7	600,000		600,000
8	MUS MSU-B P.E. Building Roof Replacement		
9	2,400,000		2,400,000
10	MUS UMW Repair/Replace Sewer Mains		
11	<del>425,000</del>		<del>425,000</del>
12	<u>125,000</u>		<u>125,000</u>
13	MUS UM Upgrade/Replace Elevators		
14	2,498,650		2,498,650
15	MUS UM FLBS Roof Replacements		
16	262,000		262,000
17	DOC MWP Heating System Upgrade		
18	1,500,000		1,500,000
19	DOJ Missoula Crime Lab Expansion Feasibility Study		
20	75,000		75,000
21	MUS MT Tech Electrical Distribution Upgrades		
22	650,000		650,000
23	MUS MSU-B Campus Water Distribution System Upgrades		
24	2,000,000	400,000	2,400,000
25	MUS MSU Lewis Hall ADA Upgrades		
26	2,400,000		2,400,000
27	Funding must be reallocated by the department to other major repair projects if funding is appropriated		
28	in [section 3] for MUS MSU Lewis Hall Code & Instructional Renovations.		

**Amendment - 2nd Reading-yellow - Requested by: Bill Mercer - (H) Committee of the Whole**

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.002.002

1	MUS UM Replace Fire Alarms, Clapp Building		
2		780,000	780,000
3	Funding must be reallocated by the department to other major repair projects if funding is appropriated		
4	in [section 3] for MUS UM Clapp Building Renovation.		
5	MUS MSU Tietz Hall Roof Replacement		
6		1,300,000	1,300,000
7	DOC MWP Perimeter Fence/Dog Yard		
8		1,000,000	1,000,000
9	DOC Pine Hills Unit F Sewer Line Replacement		
10		500,000	500,000
11	DOC MSP Unit F Water Supply Upgrade		
12		600,000	600,000
13	DMA Gallatin Readiness Center Roof Replacement		
14		741,455	741,455
15			1,482,910
15	DOC MSP Site Infrastructure Study		
16		300,000	300,000
17	MUS MSU Cobleigh Hall Parapet Structural Repair		
18		2,400,000	2,400,000
19	MUS MT Tech Restroom Renovations		
20		1,200,000	1,200,000
21	Portions of this funding must be reallocated by the department to other major repair projects if funding		
22	is appropriated in [section 3] for either or both MUS MT Tech Engineering Hall Renovation and MUS MT Tech		
23	Main Hall Renovation.		
24	MUS MSU Campus Heating Plant Boiler Controls Upgrade		
25		1,600,000	800,000
26			2,400,000
26	MUS MSU Emergency Water System & Fixture Upgrades		
27		2,400,000	2,400,000
28	MUS MT Tech Masonry Repairs		

**Amendment - 2nd Reading-yellow - Requested by: Bill Mercer - (H) Committee of the Whole**

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.002.002

1	455,000	455,000
2	MUS UMW Elevator Repairs/Replacements	
3	325,000	325,000
4	DNRC Stillwater Unit Shop Replacement	
5	1,214,837	1,214,837
6	MUS MAES WARC Shop Renovation & Safety Upgrades	
7	600,000	600,000
8	DOA Statewide FCA Baseline Assessments	
9	1,500,000	1,500,000
10	MUS MSU-N Campus EMS Building Controls Upgrade Project	
11	400,000	400,000
12	MUS UM Campus Building Envelope Repairs	
13	415,000	415,000
14	MUS UM Replace Electrical Equipment	
15	325,000	325,000
16	MUS MSU-N Electronics Tech. HVAC & Lighting Upgrade	
17	800,000	800,000
18	MUS MAES Lambing Barn Renovation & Safety Upgrades	
19	<hr/> 2,000,000	<hr/> 2,000,000
20	<u>200,000</u>	<u>200,000</u>
21	MUS MSU Hamilton Hall Life-Safety System Improvements	
22	2,400,000	2,400,000
23	MUS MSU-N Pershing Hall Renovation	
24	2,400,000	2,400,000
25	MUS MSU-N Metals Technology Building Roof Project	
26	400,000	400,000
27	MUS MAES BART Demolition Project	
28	<hr/> 450,000	<hr/> 450,000

**Amendment - 2nd Reading-yellow - Requested by: Bill Mercer - (H) Committee of the Whole**

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.002.002

1	<u>400,000</u>		<u>400,000</u>
2	DOC MSP MCE Industries Repairs		
3	700,000		700,000
4	<u>700,000</u>		<u>700,000</u>
5	DMA Gallatin RC & FMS HVAC & Controls Repairs		
6	320,747	962,241	1,282,988
7	DMA FTH HAFRC Lighting and Control Modifications		
8	26,768	324,947	351,715
9	<del>MUS HC Art Instruction Renovation</del>		
10	162,500		162,500
11	DMA Statewide SMART Deferred Maintenance Program		
12	1,500,000		1,500,000
13	Funding may only be used by the department upon receipt of federal special revenue matching funds.		
14	DOJ MHP Boulder Dorm Renovations		
15	250,000		250,000
16	<u>MDT/FWP CLEARWATER JUNCTION RV DUMP STATION SYSTEM REPAIR AND RENOVATION</u>		
17	<u>1,600,000</u>		<u>1,600,000</u>
18	DOA Boiler & Chiller Replacement - Walt Sullivan		
19	473,707		473,707
20	State special revenue funds consist of capitol land grant funds provided for in 18-2-107.		
21	DOA Elevator Modifications - Cogswell Building		
22	768,757		768,757
23	State special revenue funds consist of capitol land grant funds provided for in 18-2-107.		
24	DOA Elevator Modifications - Walt Sullivan Building		
25	379,763		379,763
26	State special revenue funds consist of capitol land grant funds provided for in 18-2-107.		
27	DOA Roof & Mechanical - DPHHS 111 N. Sanders		
28	1,309,099		1,309,099

**Amendment - 2nd Reading-yellow - Requested by: Bill Mercer - (H) Committee of the Whole**

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.002.002

1 State special revenue funds consist of capitol land grant funds provided for in 18-2-107.

2 DOA Roof Replacement - FWP Headquarters

3 289,695 289,695

4 State special revenue funds consist of capitol land grant funds provided for in 18-2-107.

5 DOA STATE OF MONTANA DATA CENTER ROOF REPLACEMENT

6 700,000 700,000

7 STATE SPECIAL REVENUE FUNDS CONSIST OF CAPITOL LAND GRANT FUNDS PROVIDED FOR IN 18-2-107.

8 MUS HC Cosmetology Program Renovation

9 2,495,000 2,495,000

10 DOC MCE Food Factory Emergency Generator

11 100,000 100,000

12 (2) State special revenue fund appropriations to the department of administration from the capitol

13 land grant fund may be adjusted among the indicated capital projects within the legislative intent, subject to

14 available revenue, if approved by the office of budget and program planning.

15 (3) The following money is appropriated to the department of military affairs for the indicated major

16 repair projects from the indicated sources. Funds not requiring legislative appropriation are included for the

17 purpose of authorization.

18	Agency/Project	LRBP	State	Federal	Authority	Total
19		MR	Special	Special	Only	
20		Fund	Revenue	Revenue	Sources	

21 DMA FTH Aviation Support Facility Energy Improvements

22 1,067,500 1,067,500

23 DMA FTH Building 1005 Expansion and Compound Upgrades

24 713,700 713,700

25 DMA FTH Building 530 Compound Improvements

26 526,125 526,125

27 DMA FTH Crew Proficiency Course Tower Improvements

28 396,934 396,934

**Amendment - 2nd Reading-yellow - Requested by: Bill Mercer - (H) Committee of the Whole**

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.002.002

1	DMA FTH Energy Improvements and Generator Backup		
2		320,250	320,250
3	DMA FTH Facility LED Lighting Retrofit		
4		238,816	238,816
5	DMA FTH Fort Harrison Lighting Upgrades		
6		564,250	564,250
7	DMA FTH Maintenance Shop HVAC & Controls Upgrade		
8		1,486,733	1,486,733
9	DMA FTH Training Equipment Site Retro-Commissioning		
10		569,969	569,969
11	<u>(4) (A) THERE IS APPROPRIATED \$100,000 FROM THE GENERAL FUND FOR THE BIENNIUM BEGINNING JULY</u>		
12	<u>1, 2023, TO THE LEGISLATIVE SERVICES DIVISION TO SUPPORT THE ACTIVITIES OF THE SELECT COMMITTEE ON</u>		
13	<u>CORRECTIONS CAPACITY AND SYSTEM DEVELOPMENT ESTABLISHED IN SUBSECTION (4)(B).</u>		
14	<u>(B) THERE IS A SELECT COMMITTEE ON CORRECTIONS CAPACITY AND SYSTEM DEVELOPMENT. THE</u>		
15	<u>COMMITTEE IS COMPOSED OF SIX MEMBERS:</u>		
16	<u>(I) THREE MEMBERS OF THE HOUSE OF REPRESENTATIVES APPOINTED BY THE SPEAKER OF THE HOUSE OF</u>		
17	<u>REPRESENTATIVES; AND</u>		
18	<u>(II) THREE MEMBERS OF THE SENATE APPOINTED BY THE PRESIDENT OF THE SENATE.</u>		
19	<u>(C) COMMITTEE MEMBERS ARE ENTITLED TO RECEIVE COMPENSATION AND EXPENSES AS PROVIDED IN 5-2-</u>		
20	<u>302.</u>		
21	<u>(D) THE LEGISLATIVE SERVICES DIVISION AND THE LEGISLATIVE FISCAL DIVISION SHALL PROVIDE STAFF</u>		
22	<u>ASSISTANCE TO THE COMMITTEE.</u>		
23	<u>(E) THE COMMITTEE SHALL FOCUS ON ESTABLISHING AN OVERALL FRAMEWORK FOR LONG-TERM FACILITY</u>		
24	<u>NEEDS AND IMMEDIATE IMPROVEMENTS FOR DEPARTMENT OF CORRECTIONS FACILITIES.</u>		
25	<u>(F) THE COMMITTEE SHALL PREPARE A FINAL REPORT OF ITS FINDINGS AND RECOMMENDATIONS, AND</u>		
26	<u>DRAFT LEGISLATION IF APPROPRIATE. THE COMMITTEE SHALL SUBMIT THE FINAL REPORT TO THE LEGISLATIVE FINANCE</u>		
27	<u>COMMITTEE AND THE LAW AND JUSTICE INTERIM COMMITTEE FOR APPROVAL PRIOR TO SUBMISSION TO THE GOVERNOR</u>		
28	<u>AND THE 69TH LEGISLATURE.</u>		

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**NEW SECTION. Section 3. Capital development projects appropriations and authorizations. (1)**

The following money is appropriated to the department of administration for the indicated capital development projects from the indicated sources. Funds not requiring legislative appropriation are included for the purpose of authorization. The department of administration is authorized to transfer the appropriations, authority, or both among the necessary fund types for these projects:

Agency/Project	LRBP	State	Federal	Authority	Total
	CD	Special	Special	Only	
	Fund	Revenue	Revenue	Sources	
Agriculture Supplemental Ag Analytical Lab (combined with Vet Diagnostic Lab and MSU Wool Lab)					
	3,858,000				3,858,000
Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.					
MUS MSU Supplemental Wool Lab (combined with Vet Diagnostic Lab and Ag Analytical Lab)					
	4,700,000				4,700,000
Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.					
Livestock Supplemental Vet Diagnostic Lab (combined with Ag Analytical Lab and MSU Wool Lab)					
	2,200,000				2,200,000
Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.					
DPHHS DOA Supplemental State Health Lab Renovation					
		7,000,000			7,000,000
Funding may be utilized by the department for project completion in the event federal grant funding expenditure deadlines are not extended for the project in section 3, Chapter 461, Laws of 2021.					
Revenue Supplemental Liquor Warehouse Expansion					
		14,315,750			14,315,750
		<u>15,515,750</u>			<u>15,515,750</u>
Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.					
DPHHS Supplemental SWMVH Cottage Connectors					
	5,250,000				5,250,000

**Amendment - 2nd Reading-yellow - Requested by: Bill Mercer - (H) Committee of the Whole**

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.002.002

1	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
2	MUS MT Tech Supplemental Heating Systems Upgrade		
3	2,750,000		2,750,000
4	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
5	MUS UMW Supplemental Block Hall Renovation		
6	3,600,000		3,600,000
7	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
8	MDT Supplemental West Yellowstone Airport Terminal		
9	9,000,000		9,000,000
10	Funding may be utilized on a prorated basis by the department for project completion in the event		
11	additional federal grant funding is not received for inflationary and scope adjustments for the project in section		
12	2, Chapter 422, Laws of 2019, and section 3, Chapter 461, Laws of 2021, up to an aggregate of \$41,500,000		
13	from all sources. This aggregate amount does not limit or restrict 17-7-211.		
14	DMA Supplemental Silver Bow Readiness Center		
15	5,491,795	8,221,254	13,713,049
16	Inflationary adjustment funding is provided for the project in section 9, Chapter 476, Laws of 2019, and		
17	section 3, Chapter 461, Laws of 2021.		
18	MUS MAES Supplemental MAES Research Labs		
19	1,604,050		1,604,050
20	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
21	DOA Supplemental Mazurek Building Renovation		
22	5,000,000		5,000,000
23	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
24	DNRC Supplemental ELO Facilities & Shop		
25	<del>2,180,235</del>		<del>2,180,235</del>
26	<u>3,003,553</u>		<u>3,003,553</u>
27	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
28	MUS MSU Supplemental Haynes Hall Ventilation Upgrades		

**Amendment - 2nd Reading-yellow - Requested by: Bill Mercer - (H) Committee of the Whole**

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.002.002

1	3,400,000		3,400,000
2	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 461, Laws of		
3	2021.		
4	MDT Supplemental Lincoln Airport SRE Building		
5	250,000		250,000
6	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
7	FWP Supplemental Havre Area Office		
8	2,199,600	620,400	2,820,000
9	Inflationary and scope adjustment funding is provided for the project in section 3, Chapter 461, Laws of		
10	2021.		
11	<u>DOJ MLEA SUPPLEMENTAL SCENARIO BUILDING</u>		
12	<u>2,600,000</u>		<u>2,600,000</u>
13	<u>INFLATIONARY ADJUSTMENT FUNDING IS PROVIDED FOR THE PROJECT IN SECTION 3, CHAPTER 461, LAWS OF</u>		
14	<u>2021.</u>		
15	FWP Supplemental Glasgow Headquarters		
16	3,100,000		3,100,000
17	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		
18	2019.		
19	FWP Supplemental Lewistown Area Office		
20	4,000,000		4,000,000
21	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		
22	2019.		
23	FWP Supplemental MT Wild Avian Rehab Building		
24	550,000		550,000
25	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 461, Laws of		
26	2021.		
27	DMA Supplemental Billings AFRC Unheated Storage		
28	46,208	46,208	92,416

**Amendment - 2nd Reading-yellow - Requested by: Bill Mercer - (H) Committee of the Whole**

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.002.002

1	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
2	DMA Supplemental Havre Unheated Building		
3		63,318	63,318
			126,636
4	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
5	DPHHS MSH Compliance Upgrades for Recertification & Deferred Maintenance		
6		15,903,000	15,903,000
7	<u>UP TO \$10,000,000 OF FUNDING FOR THE PROJECT MUST BE USED FOR REBUILDING A WATER LINE</u>		
8	<u>CONSTRUCTED BY THE STATE SERVING THE MONTANA STATE HOSPITAL. THE DEPARTMENT IS AUTHORIZED TO</u>		
9	<u>CONTRACT WITH ANACONDA-DEER LODGE COUNTY FOR THIS PORTION OF THE PROJECT AT THE DEPARTMENT'S</u>		
10	<u>DISCRETION.</u>		
11	DOC MSP Replace Low-Side Housing		
12		<del>135,000,000</del>	<del>135,000,000</del>
13		<u>156,000,000</u>	<u>156,000,000</u>
14	<del>DPHHS Statewide Behavioral Health Initiative</del>		
15		<del>113,000,000</del>	<del>113,000,000</del>
16	<u>DOC FLATHEAD COUNTY PRERELEASE CENTER</u>		
17		<u>7,000,000</u>	<u>7,000,000</u>
18	DOA Renovation of Capitol Complex Offices, Implement ROWS		
19		50,000,000	50,000,000
20	DOA State Capitol Building Improvements		
21		<del>26,316,458</del>	<del>26,316,458</del>
22		<u>28,695,418</u>	<u>28,695,418</u>
23	DNRC Seedling Nursery Improvements		
24		2,797,320	2,797,320
25	DOC MSP Water Line Replacement		
26		3,000,000	3,000,000
27	DOC MSP Entry/Staff Services Addition to Wallace Building		
28		12,800,000	12,800,000

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1	DOC MSP Replace Roofs		
2		5,600,000	5,600,000
3	DOC MSP Xanthopoulos Building Repairs		
4		2,950,000	2,950,000
5	DOC MSP New Multi-Purpose Programs Building		
6		9,000,000	9,000,000
7	DLI Job Service Great Falls Building Renovation		
8		5,767,880	5,767,880
9	MUS UM FLBS Water and Sewer Systems		
10		2,500,000	2,500,000
11	DOC MWP Roof Replacement		
12		5,000,000	5,000,000
13	DMA Billings Readiness and Innovation Campus		
14		<u>12,840,000</u>	<u>12,840,000</u>
15		<u>26,840,000</u>	<u>52,000,000</u>
16	DNRC Clearwater Replacement Bunkhouse		
17		1,189,178	1,189,178
18	DNRC Anaconda Bunkhouse		
19		1,180,962	1,180,962
20	DNRC NELO Fire Ready Room		
21		445,491	445,491
22	DNRC CLO Dispatch Center Expansion		
23		545,000	545,000
24	DPHHS MMHNCC Heated Storage Unit		
25		<u>720,000</u>	<u>720,000</u>
26		<u>360,000</u>	<u>360,000</u>
27	<u>DPHHS SOUTHWEST MONTANA VETERANS HOME SIXTH COTTAGE</u>		
28		<u>1,000,000</u>	<u>6,000,000</u>
			<u>7,000,000</u>

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HB0005.002.002

1	<u>FEDERAL FUNDS MUST BE OBLIGATED PRIOR TO PROJECT INITIATION.</u>		
2	DOA Old Board of Health Renovation (Legislative Staff Space)		
3	3,500,000		3,500,000
4	DOC MSP Check Point Bldg / Wallace Entry Security Enhancements		
5	3,000,000		3,000,000
6	DMA Helena Readiness HVAC & Temp Control Upgrade		
7	798,420	2,542,248	3,340,668
8	MUS HC Acquire and Renovate Airport Hangar		
9	3,600,000		3,600,000
10	DMA DES State Emergency Coordination Center Expansion		
11	6,581,000		6,581,000
12	MUS UM Clapp Building Renovation		
13	27,000,000	10,000,000	37,000,000
14	<del>MUS MSU Lewis Hall Code &amp; Instructional Renovations</del>		
15	<del>23,500,000</del>	<del>8,000,000</del>	<del>31,500,000</del>
16	DOA 5 Last Chance Gulch Atrium Renovation		
17	15,558,029		15,558,029
18	MUS MT Tech Engineering Hall Renovation		
19	8,000,000		8,000,000
20	MUS MT Tech Main Hall Renovation		
21	30,000,000		30,000,000
22	MUS MAES BART Life-Safety & Programmatic Improvements		
23	10,000,000		10,000,000
24	DMA DES State Disaster Warehouse		
25	5,704,000		5,704,000
26	MUS UMW Campus Storage/Warehouse Building		
27	1,250,000		1,250,000
28	<u>MUS MSU-N HEALTH AND RECREATION COMPLEX</u>		

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Drafter: Julie Johnson, 406-444-4024

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1		<u>25,000,000</u>		<u>25,000,000</u>
2	FWP Makoshika Campground Improvement & Addition			
3		2,500,000	2,500,000	5,000,000
4	<del>FWP Beartooth WMA Facilities Upgrade</del>			
5		<del>8,000,000</del>		<del>8,000,000</del>
6	FWP Agency Staff Housing			
7		7,500,000		7,500,000
8	FWP Central Services Site Upgrades			
9		<del>17,168,330</del>		<del>17,168,330</del>
10		<u>10,343,330</u>		<u>10,343,330</u>
11	MDT Combination Facility Great Falls			
12		12,600,000		12,600,000
13	MDT Combination Facility Kalispell			
14		11,000,000		11,000,000
15	MDT Combination Facility Missoula			
16		10,500,000		10,500,000
17	MUS MSU Supplemental Facilities Yard Relocation			
18			8,000,000	8,000,000
19	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of			
20	2019.			
21	MUS UM Supplemental Mansfield Library Remodel			
22			4,000,000	4,000,000
23	Inflationary and scope adjustment funding is provided for the project in section <u>3</u> <del>4</del> , Chapter 461, Laws			
24	of 2021.			
25	MUS MSU Supplemental Visual Communications Building			
26			4,000,000	4,000,000
27	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of			
28	2019.			

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1	MUS MSU Mark and Robyn Jones MSU College of Nursing (5 locations)		
2		92,000,000	92,000,000
3	MUS MSU Gianforte Hall, School of Computing		
4		50,000,000	50,000,000
5	MUS UM Adams Center - Student Athlete Locker Rooms		
6		6,000,000	6,000,000
7	MUS UM Campuswide Classroom Upgrades		
8		6,000,000	6,000,000
9	MUS UM Liberal Arts Building / Eck Hall		
10		4,000,000	4,000,000
11	MUS MSU Indoor Practice Facility		
12		15,000,000	15,000,000
13	MUS MT Tech Highlands College Indoor Pole Barn		
14		2,000,000	2,000,000
15	DOA Statewide Federal Spending Authority		
16		5,000,000	5,000,000
17	DOC Motor Vehicle Ventilation & Paint/Sandblasting Booths		
18		590,000	590,000
19	<u>MUS UM MCGILL HALL EXPANSION</u>		
20		<u>3,000,000</u>	<u>3,000,000</u>

21 (2) (A) FOR THE BIENNIUM BEGINNING JULY 1, 2023, THERE IS APPROPRIATED TO THE DEPARTMENT OF  
22 ADMINISTRATION \$4 MILLION OF STATE SPECIAL REVENUE FOR THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS  
23 BEARTOOTH WMA FACILITIES UPGRADE CAPITAL DEVELOPMENT PROJECT.

24 (B) FOR THE BIENNIUM BEGINNING JULY 1, 2023, AN ADDITIONAL \$4 MILLION OF STATE SPECIAL REVENUE  
25 IS APPROPRIATED TO THE DEPARTMENT OF ADMINISTRATION FOR THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS  
26 BEARTOOTH WMA FACILITIES UPGRADE CAPITAL DEVELOPMENT PROJECT CONTINGENT ON THE DEPARTMENT OF  
27 ADMINISTRATION PROVIDING WRITTEN CONFIRMATION TO THE GOVERNOR THAT THE PROJECT IS UNDER CONTRACT.

28 (C) THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS SHALL PROVIDE A QUARTERLY REPORT ON THE

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1 STATUS OF THE PROJECT AND ITS ASSOCIATED EXPENDITURES IN DIGITAL FORMAT TO THE LEGISLATIVE FISCAL ANALYST.

2 THE REPORT MUST BE DISTRIBUTED BY THE LEGISLATIVE FISCAL ANALYST TO MEMBERS OF THE LEGISLATIVE FINANCE

3 COMMITTEE AND THE LONG-RANGE PLANNING BUDGET COMMITTEE PROVIDED FOR IN 5-12-501.

4 (3) (A) EXCEPT AS PROVIDED IN SUBSECTION (3)(B), FUNDS APPROPRIATED FOR THE DOC FLATHEAD

5 COUNTY PRERELEASE CENTER MAY NOT BE EXPENDED UNTIL THE DEPARTMENT HAS RECEIVED ALL NECESSARY

6 AUTHORIZATIONS FOR THE PROPOSED PRERELEASE CENTER.

7 (B) TO SECURE ACQUISITION OF THE FACILITY, THE DEPARTMENT OF CORRECTIONS MAY ENTER INTO A

8 PURCHASE OPTION AGREEMENT WITH THE OWNER NOT TO EXCEED 18 MONTHS IN LENGTH. THE OPTION FEE MUST BE

9 FULLY CREDITED TO THE PURCHASE PRICE IF THE DEPARTMENT OF CORRECTIONS PURCHASES THE FACILITY. THE

10 OPTION FEE MAY NOT EXCEED 1% OF THE PURCHASE PRICE.

11 ~~(2)~~(4) The following money is appropriated to the department of military affairs for the indicated  
12 capital development projects from the indicated sources. Funds not requiring legislative appropriation are  
13 included for the purpose of authorization.

Agency/Project	State	Federal	Authority	Total
	Special	Special	Only	
	Revenue	Revenue	Sources	
DMA FTH Aviation Facility HVAC & Temperature Control Upgrade		3,580,365		3,580,365
DMA FTH Collective Training Housing Facility		3,000,000		3,000,000
DMA FTH Ready Building Addition		4,700,000		4,700,000
DMA FTH Training Site HVAC and Controls Upgrade		2,574,002		2,574,002

25 ~~(3)~~(5) (a) Pursuant to 17-7-210, if construction of a new facility requires an immediate or future  
26 increase in state funding for program expansion or operations and maintenance, the legislature may not  
27 authorize the new facility unless it also appropriates funds for the increase in state funding for program  
28 expansion and operations and maintenance. To the extent allowed by law, at the end of each fiscal year

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1 following approval of a new facility but prior to receipt of its certificate of occupancy, the appropriation made in  
 2 this subsection ~~(3)~~(5) reverts to its originating fund. The appropriation is not subject to the provisions of 17-7-  
 3 304.

4 (b) It is the legislature’s intent that the appropriations in this subsection ~~(3)~~ (5) become part of the  
 5 respective agency’s base budget for the biennium beginning July 1, 2025.

6 (c) The following money is appropriated for the biennium beginning July 1, 2023, to the indicated  
 7 agency from the indicated sources for program expansion or operations and maintenance for the indicated new  
 8 facility:

Agency/Project	General Fund	State Special Revenue	Federal Special Revenue	Authority Only Sources	Total
Department of Corrections					
BSB Re-Entry Services, Acadia Facility					
	563,536				563,536
Operations and maintenance funding is appropriated in accordance with section 7(13), Chapter					
401, Laws of 2021.					
DOC MSP Replace Low-Side Housing					
	176,560				176,560
DOC MSP Entry/Staff Services Addition to Wallace Building					
	184,000				184,000
DOC MSP New Multi-Purpose Programs Building					
	100,340				103,340
	<u>103,040</u>				<u>103,040</u>
<u>DOC FLATHEAD COUNTY PRERELEASE CENTER</u>					
	<u>3,388,560</u>				<u>3,388,560</u>

26 THE APPROPRIATION FOR THE DOC FLATHEAD COUNTY PRERELEASE CENTER IS FOR THE FISCAL YEAR  
 27 BEGINNING JULY 1, 2024.

28 DOC Motor Vehicle Ventilation & Paint/Sandblasting Booths

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1		40,000	40,000
2	Department of Fish, Wildlife, and Parks		
3	FWP Beartooth WMA Facilities Upgrade		
4		80,000	80,000
5	FWP Agency Staff Housing		
6		225,000	225,000
7	FWP Central Services Site Upgrades		
8		128,762	128,762
9	Department of Military Affairs		
10	DMA Billings LAASF		
11		200,000	200,000
12	Operations and maintenance funding is appropriated in accordance with section 7(13), Chapter 401,		
13	Laws of 2021.		
14	DMA DES State Emergency Coordination Center Expansion		
15		54,012	54,012
16	DMA FTH Collective Training Housing Facility		
17		34,000	34,000
18	DMA FTH Ready Building Addition		
19		26,472	26,472
20	Department of Natural Resources and Conservation		
21	DNRC Clearwater Replacement Bunkhouse		
22		27,650	27,650
23	DNRC Anaconda Bunkhouse		
24		33,180	33,180
25	DNRC NELO Fire Ready Room		
26		17,696	17,696
27	DNRC CLO Dispatch Center Expansion		
28		10,700	10,700

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Drafter: Julie Johnson, 406-444-4024

HB0005.002.002

1	Department of Public Health and Human Services		
2	<del>DPHHS Statewide Behavioral Health Initiative</del>		
3		<del>2,503,280</del>	<del>2,503,280</del>
4	DPHHS MMHNCC Heated Storage Unit		
5		21,312	21,312
6	<u>DPHHS SOUTHWEST MONTANA VETERANS HOME SIXTH COTTAGE</u>		
7		<u>1,200,000</u>	<u>1,200,000</u>
8	DMA DES State Disaster Warehouse		
9		62,000	62,000
10	Montana Department of Transportation		
11	MDT Combination Facility Great Falls		
12		53,900	53,900
13	MDT Combination Facility Kalispell		
14		42,400	42,400
15	MDT Combination Facility Missoula		
16		41,800	41,800
17	Montana University System		
18	MUS MSU Supplemental Wool Lab (combined with Vet Diagnostic Lab and Ag Analytical Lab)		
19		520,695	520,695
20	MUS HC Acquire and Renovate Airport Hangar		
21		188,133	188,133
22	MUS UMW Campus Storage/Warehouse Building		
23		63,975	63,975
24	MUS MSU Mark and Robyn Jones MSU College of Nursing (5 locations)		
25		4,000,154	4,000,154
26	MUS MSU Gianforte Hall, School of Computing		
27		1,730,858	1,730,858
28	MUS MSU Indoor Practice Facility		

1 athletics/auxiliaries funds only

2 MUS MT Tech Highlands College Indoor Pole Barn

3 42,671 42,671

4 MUS UM MCGILL HALL EXPANSION

5 62,256 62,256

6 MUS MSU-N HEALTH AND RECREATION COMPLEX

7 585,240 585,240

8 (d) After receipt of a certificate of occupancy, funding appropriated in subsection (3)(e)(5)(C) to the  
9 Montana university system Wool Lab and in section 1(4)(c), Ch. 468, L. 2021, to the department of agriculture  
10 Ag Analytical Lab shall be transferred each biennium to the department of livestock.

11  
12 NEW SECTION. SECTION 4. PROJECT PRIORITY. (1) THE DEPARTMENT OF ADMINISTRATION SHALL  
13 PRIORITIZE THE FOLLOWING PROJECTS AT THE MONTANA STATE PRISON AS FIRST AND SHALL MOVE AT ALL DELIBERATE  
14 SPEED TO HAVE EACH PROJECT UNDER CONTRACT BY SEPTEMBER 30, 2023:

- 15 DOC MSP REPLACE LOW-SIDE HOUSING
- 16 DOC MSP PERIMETER FENCE ENHANCEMENT
- 17 DOC MSP UNIT F WATER SUPPLY UPGRADE
- 18 DOC MSP WATER LINE REPLACEMENT
- 19 DOC MSP ENTRY/STAFF SERVICES ADDITION TO WALLACE BUILDING
- 20 DOC MSP REPLACE ROOFS
- 21 DOC MSP XANTHOPOULOS BUILDING REPAIRS
- 22 DOC MSP NEW MULTI-PURPOSE PROGRAMS BUILDING

23 (2) TO EXPEDITE CONSTRUCTION OF NEW LOW-SIDE HOUSING UNITS AT MONTANA STATE PRISON, THE  
24 DEPARTMENT OF ADMINISTRATION, IN CONSULTATION WITH THE DEPARTMENT OF CORRECTIONS, IS AUTHORIZED TO  
25 PURCHASE PLANS FOR PRISON HOUSING THAT WERE CONSTRUCTED IN ANOTHER STATE, PROVIDED THOSE PLANS CAN  
26 BE MADE TO COMPLY WITH THE PROFESSIONAL SERVICES REQUIREMENTS OF TITLE 18, CHAPTER 2, AND TITLE 37,  
27 CHAPTERS 65 AND 67.

28

1            NEW SECTION. Section 5. Capital improvements projects. (1) The following money is  
 2 appropriated to the department of fish, wildlife, and parks in the indicated amounts for the purpose of making  
 3 capital improvements to statewide facilities. Funds not requiring legislative appropriation are included for the  
 4 purpose of authorization. The department of fish, wildlife, and parks is authorized to transfer the appropriations,  
 5 authority, or both among the necessary fund types for these projects:

Agency/Project	State	Federal	Authority	Total
	Special	Special	Only	
	Revenue	Revenue	Source	
FWP Statewide Admin Facilities Major Maintenance			5,000,000	6,931,500
FWP Signage & Wayfinding Updates	1,931,500			2,500,000
	<u>2,500,000</u>			<u>2,500,000</u>
	<u>1,250,000</u>			<u>1,250,000</u>
FWP Erosion Control				2,673,000
	2,673,000			2,673,000
FWP Community Ponds				200,000
	200,000			200,000
FWP Forest Management				400,000
	100,000	300,000		400,000
FWP Site Maintenance Upgrades & Improvements				7,536,200
	4,572,450	1,770,750	1,193,000	7,536,200
FWP Shooting Range Development				4,000,000
	1,000,000	3,000,000		4,000,000
FWP Wildlife Habitat Improvement Program Renewal				2,000,000
		2,000,000		2,000,000
FWP Wildlife Habitat Management & Maintenance				3,905,000
	1,140,000	2,765,000		3,905,000
FWP Upland Game Bird Enhancement Program				

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1		1,908,000	600,000		2,508,000
2	FWP Migratory Bird Wetland Program				
3		500,000			500,000
4	FWP Future Fisheries				
5		2,000,000			2,000,000
6	FWP Hatcheries Maintenance				
7		2,000,000			2,000,000
8	FWP POR Grant Programs				
9		5,000,000	6,000,000		11,000,000
10	FWP Fish Connectivity				
11		548,454	1,278,992	140,234	1,967,680
12	FWP PALA Access Program				
13		1,000,000			1,000,000

14 (2) Authority is granted to the Montana university system for the purpose of making capital  
 15 improvements to campus facilities statewide. Use of authority-only funds may be allocated at not more than  
 16 \$2,500,000 per project and a project may not be segregated to circumvent this limitation. All costs for the  
 17 operations and maintenance of any improvements constructed under this authorization must be paid by the  
 18 Montana university system from nonstate sources:

19	Agency/Project	State	Federal	Authority	Total
20		Special	Special	Only	
21		Revenue	Revenue	Sources	
22	General Spending Authority, MUS			20,000,000	20,000,000

23 (3) The following money is appropriated to the department of military affairs in the indicated  
 24 amount for the purpose of making capital improvements to statewide facilities. All costs for the operation and  
 25 maintenance of any improvements constructed with these funds must be paid by the department of military  
 26 affairs from nonstate sources:

27	Agency/Project	State	Federal	Authority	Total
28		Special	Special	Only	

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1		Revenue	Revenue	Sources	
2	DMA Federal Spending Authority		3,000,000		3,000,000

3 (4) The following money is appropriated to the department of transportation in the indicated  
4 amount for the purpose of making capital improvements to statewide facilities as indicated:

5	Agency/Project	State	Federal	Authority	Total
6		Special	Special	Only	
7		Revenue	Revenue	Sources	
8	MDT Maintenance, Repair, and Small Projects				
9		3,000,000			3,000,000

10 (5) The following money is appropriated to the department of environmental quality in the indicated  
11 amount from state building energy conservation funds for the purposes of making capital improvements, and is  
12 authorized to transfer the appropriation, authority, or both among the necessary fund types.

13	Agency/Project	State	Federal	Authority	Total
14		Special	Special	Only	
15		Revenue	Revenue	Sources	
16	DEQ Energy Improvements, Statewide			3,700,000	3,700,000

17 (6) THE FOLLOWING MONEY IS APPROPRIATED TO THE DEPARTMENT OF COMMERCE IN THE INDICATED  
18 AMOUNT FOR GRANTS TO THE CHIPPEWA CREE TRIBE FOR THE PURPOSE OF THE FOLLOWING PROJECTS:

19	<u>AGENCY/PROJECT</u>	<u>STATE</u>	<u>FEDERAL</u>	<u>AUTHORITY</u>	<u>OTHER</u>	<u>TOTAL</u>
20		<u>SPECIAL</u>	<u>SPECIAL</u>	<u>ONLY</u>	<u>FUNDING</u>	
21		<u>REVENUE</u>	<u>REVENUE</u>	<u>SOURCES</u>	<u>SOURCES</u>	
22	<u>CHIPPEWA CREE CULTURAL CEREMONY BUILDING REPAIR</u>				<u>1,000,000</u>	<u>1,000,000</u>
23	<u>CHIPPEWA CREE LANGUAGE IMMERSION SCHOOL</u>				<u>1,000,000</u>	<u>1,000,000</u>

24 OTHER FUNDING SOURCES CONSIST OF ONE-TIME-ONLY STATE GENERAL FUND MONEY.

25 (7) THE FOLLOWING MONEY IS APPROPRIATED TO THE DEPARTMENT OF TRANSPORTATION IN THE  
26 INDICATED AMOUNT FOR THE PURPOSE OF CONSTRUCTING NEW PUBLIC SIDEWALKS ALONG U.S. HIGHWAY 2, FROM THE  
27 INTERSECTION OF MEADOWLARK DRIVE TO THE INTERSECTION OF TERRY ROAD, AND FROM THE INTERSECTION OF EAST  
28 EVERGREEN DRIVE TO THE INTERSECTION OF POPLAR ROAD.

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1	<u>AGENCY/PROJECT</u>	<u>STATE</u>	<u>FEDERAL</u>	<u>AUTHORITY</u>	<u>OTHER</u>	<u>TOTAL</u>
2		<u>SPECIAL</u>	<u>SPECIAL</u>	<u>ONLY</u>	<u>FUNDING</u>	
3		<u>REVENUE</u>	<u>REVENUE</u>	<u>SOURCES</u>	<u>SOURCES</u>	
4	<u>MDT US HIGHWAY 2 SIDEWALKS PROJECT</u>				<u>1,000,000</u>	<u>1,000,000</u>

OTHER FUNDING SOURCES CONSIST OF ONE-TIME-ONLY STATE GENERAL FUND MONEY.

(8) THE FOLLOWING MONEY IS APPROPRIATED TO THE DEPARTMENT OF COMMERCE IN THE INDICATED

AMOUNT FOR A GRANT TO THE CITY OF MISSOULA FOR THE PURPOSE OF THE FOLLOWING PROJECT:

8	<u>AGENCY/PROJECT</u>	<u>STATE</u>	<u>FEDERAL</u>	<u>AUTHORITY</u>	<u>OTHER</u>	<u>TOTAL</u>
9		<u>SPECIAL</u>	<u>SPECIAL</u>	<u>ONLY</u>	<u>FUNDING</u>	
10		<u>REVENUE</u>	<u>REVENUE</u>	<u>SOURCES</u>	<u>SOURCES</u>	
11	<u>CITY OF MISSOULA RIVERFRONT TRAIL PUBLIC PLAZA</u>				<u>250,000</u>	<u>250,000</u>

OTHER FUNDING SOURCES CONSIST OF ONE-TIME-ONLY STATE GENERAL FUND MONEY.

(9) THE FOLLOWING MONEY IS APPROPRIATED TO THE DEPARTMENT OF REVENUE IN THE INDICATED

AMOUNT FOR THE PURPOSE OF A STATE LINE SURVEY PROJECT TO BE CONDUCTED BY THE U.S. BUREAU OF LAND

MANAGEMENT IN MINERAL COUNTY.

16	<u>AGENCY/PROJECT</u>	<u>STATE</u>	<u>FEDERAL</u>	<u>AUTHORITY</u>	<u>OTHER</u>	<u>TOTAL</u>
17		<u>SPECIAL</u>	<u>SPECIAL</u>	<u>ONLY</u>	<u>FUNDING</u>	
18		<u>REVENUE</u>	<u>REVENUE</u>	<u>SOURCES</u>	<u>SOURCES</u>	
19	<u>DEPARTMENT OF REVENUE/MINERAL COUNTY STATE LINE SURVEY</u>				<u>76,000</u>	<u>76,000</u>

OTHER FUNDING SOURCES CONSIST OF ONE-TIME-ONLY STATE GENERAL FUND MONEY.

NEW SECTION. Section 6. Land acquisition appropriations. The following money is appropriated to the department of fish, wildlife, and parks in the indicated amounts for purposes of land acquisition, land leasing, easement purchase, or development agreements. The department of fish, wildlife, and parks is authorized to transfer the appropriations, authority, or both among the necessary fund types for these projects:

26	Agency/Project	State	Federal	Authority		Total
27		Special	Special	Only		
28		Revenue	Revenue	Sources		

1 FWP Habitat Montana 9,650,000 2,350,000 12,000,000

2

3 NEW SECTION. Section 7. Planning and design. The department of administration may proceed  
4 with the planning and design of capital projects in either or both [sections 2 and 3] prior to the receipt of other  
5 funding sources. The department may use interentity loans in accordance with 17-2-107 to pay planning and  
6 design costs incurred before the receipt of other funding sources.

7

8 NEW SECTION. Section 8. Capital projects -- contingent funds. (1) If a capital project is financed,  
9 in whole or in part, with appropriations contingent upon the receipt of other funding sources, the department of  
10 administration may not let the project for bid until a financial plan and agreement with the agency has been  
11 approved by the director of the department of administration. A financial plan and agreement may not be  
12 approved by the director if:

13 (a) the level of funding and authorization provided under the financial plan and agreement deviates  
14 substantially from the funding level provided in either or both [sections 2 and 3] for that project; or

15 (b) the scope of the project is substantially altered or revised from the concept and intent for that  
16 project as presented to the 68th legislature.

17 (2) This section does not limit or restrict 17-7-211.

18

19 NEW SECTION. Section 9. Review by department of environmental quality. The department of  
20 environmental quality shall review capital projects authorized in either or both [sections 2 and 3] for potential  
21 inclusion in the state building energy conservation program (SBECP) under Title 90, chapter 4, part 6. When a  
22 review shows that a capital project will result in energy or utility savings and improvements, that project must be  
23 submitted to the energy conservation program for funding consideration by the SBECP. Funding provided  
24 under the energy conservation program guidelines must be used to offset or add to the authorized funding for  
25 the project, and the amount will be dependent on the annual utility savings resulting from the capital project.  
26 Agencies must be notified of potential funding after the review and are obligated to utilize the SBECP funding, if  
27 available.

28

1 NEW SECTION. Section 10. Legislative consent. The appropriations authorized in [sections 4  
2 through 8] [SECTIONS 1 THROUGH 26] constitute legislative consent for the capital projects contained in [sections  
3 4 through 8] [SECTIONS 1 THROUGH 26] within the meaning of 18-2-102.

4  
5 NEW SECTION. Section 11. Increase in state funding for program expansion or operations and  
6 **maintenance.** If an immediate or future increase in state funding for program expansion or operations and  
7 maintenance is required for a new facility in [section 3] but the increase is not appropriated by the 68th  
8 legislature, the new facility in [section 3] is not appropriated or authorized as provided in 17-7-210.

9  
10 NEW SECTION. Section 12. Transfer of funds. By August 15, 2023, the department of  
11 administration shall make the following transfers:

12 (1) \$41,420,091 from the capital developments long-range building program account established in  
13 17-7-209 to the major repair long-range building program account established in 17-7-221.

14 (2) \$2,000,000 FROM THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT  
15 ESTABLISHED IN 17-7-209 TO THE CAPITOL PROJECTS LAND GRANT FUND PROVIDED FOR IN 18-2-107.

16 ~~(2) \$113,000,000 from the general fund to the capital developments long-range building program~~  
17 ~~account established in 17-7-209.~~

18  
19 **Section 13.** Section 17-7-201, MCA, is amended to read:

20 **"17-7-201. Definitions.** In this part, the following definitions apply:

21 (1) (a) "Building" includes a:

22 (i) building, facility, or structure constructed or purchased wholly or in part with state money;

23 (ii) building, facility, or structure at a state institution;

24 (iii) building, facility, or structure owned or to be owned by a state agency, including the department  
25 of transportation.

26 (b) The term does not include a:

27 (i) building, facility, or structure owned or to be owned by a county, city, town, school district, or  
28 special improvement district;

1 (ii) facility or structure used as a component part of a highway or water conservation project.

2 (2) "Capital development" means a:

3 (a) renovation, construction, alteration, site, or utility project with a total cost of \$2.5 million or  
4 more;

5 (b) new facility with a construction cost of \$250,000 or more; or

6 (c) purchase of real property for which an appropriation is required to fund the purchase.

7 (3) "Construction" includes construction, repair, alteration, renovation, and equipping and  
8 furnishing during construction, repair, or alteration.

9 (4) "Division" means the architecture and engineering division of the department of administration.

10 (5) "High-performance building" means a building that integrates and optimizes all major high-  
11 performance building attributes, including but not limited to:

12 (a) energy efficiency;

13 (b) durability;

14 (c) life-cycle performance; and

15 (d) occupant productivity.

16 (6) (a) "Long-range building program-eligible building" means a building, facility, or structure  
17 eligible for major repair account funding that:

18 (i) is owned or fully operated by a state agency and for which the operation and maintenance are  
19 funded with state general fund money; or

20 (ii) ~~that~~ supports academic missions of the university system and for which the operation and  
21 maintenance are funded with current unrestricted university funds.

22 (b) The term does not include a building, facility, or structure:

23 (i) owned or operated by a state agency and for which the operation and maintenance are entirely  
24 funded with state special revenue, federal special revenue, or proprietary funds; or

25 (ii) that supports nonacademic functions of the university system and for which the operation and  
26 maintenance are funded from nonstate and nontuition sources.

27 (7) (a) "Major repair" means:

28 (i) a renovation, alteration, replacement, or repair project with a total cost of less than \$2.5 million;

1 (ii) a site or utility improvement with a total cost of less than \$2.5 million; or

2 (iii) a new facility with a total construction cost of less than \$250,000.

3 (b) The term does not include operations and maintenance as defined in this section.

4 (8) (a) "New facility" means the construction of a new building on state property regardless of  
5 funding source and includes:

6 (i) an addition to an existing building; and

7 (ii) the enclosure of space that was not previously fully enclosed.

8 (b) The term does not include the replacement of state-owned space that is demolished or that is  
9 otherwise removed from state use if the total construction cost of the replacement space is less than \$2.5  
10 million.

11 (9) "Operations and maintenance" means operational costs and regular, ongoing, and routine  
12 repairs and maintenance funded in an agency operating budget that does not extend the capacity, function, or  
13 lifespan of a facility.

14 (10) "Replacement cost of existing long-range building program-eligible building" means the current  
15 replacement value of all long-range building program-eligible buildings included in the statewide facility  
16 inventory and condition assessment as provided in 17-7-202."

17  
18 **NEW SECTION. Section 14. Project management and supervision.** Up to \$2,000,000 is  
19 appropriated from the major repair long-range building program account to the architecture and engineering  
20 division for the purposes of contracted services or modified positions, and associated operating expenses, to  
21 expeditiously implement [~~sections 1 through 9~~] [SECTIONS 1 THROUGH 11]. The division is authorized to transfer  
22 the appropriation among the necessary fund types for supervision and project management.

23  
24 **NEW SECTION. SECTION 15. APPROPRIATION FOR GALLATIN COLLEGE -- PROCESS. (1) FOR THE**  
25 **BIENNIUM BEGINNING JULY 1, 2023, THERE IS APPROPRIATED TO THE DEPARTMENT OF ADMINISTRATION \$23.5 MILLION**  
26 **OF CAPITAL DEVELOPMENT FUNDS AND \$22.5 MILLION OF AUTHORITY ONLY FOR CONSTRUCTION OF A FACILITY FOR**  
27 **GALLATIN COLLEGE CONTINGENT ON THE FOLLOWING:**

28 (A) THE BUDGET DIRECTOR SHALL ADOPT A PLAN FOR THE DEVELOPMENT OF GALLATIN COLLEGE

**Amendment - 2nd Reading-yellow - Requested by: Bill Mercer - (H) Committee of the Whole**

- 2023

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Drafter: Julie Johnson, 406-444-4024

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1 THROUGH THE PROCESS SET FORTH IN SUBSECTION (2).

2 (B) FUNDS MUST BE RAISED FOR THE \$22.5 MILLION OF AUTHORITY ONLY CAPITAL PROJECT FUNDING. THE

3 VALUE OF ANY LAND DONATED FOR THE CAPITAL PROJECT MAY NOT BE CONSIDERED AS PART OF MEETING THE

4 FUNDRAISING REQUIREMENT.

5 (C) PLAN DEVELOPMENT, DELIVERY, AND ADOPTION MUST BE COORDINATED THROUGH THE DEPARTMENT

6 OF ADMINISTRATION. ALL PLAN DEVELOPMENT EFFORTS, CONTENT, AND COSTS ARE THE RESPONSIBILITY OF THE

7 MONTANA UNIVERSITY SYSTEM.

8 (D) NO CAPITAL DEVELOPMENT FUNDING OR AUTHORITY FOR THE CAPITAL PROJECT MAY BE USED FOR

9 PLAN DEVELOPMENT OR FOR LAND ACQUISITION.

10 (E) THE DEPARTMENT OF ADMINISTRATION MAY NOT PROCEED WITH CAPITAL PROJECT PROCUREMENT,

11 PLANNING, OR DESIGN UNTIL THE CONDITIONS IN SUBSECTIONS (1)(A) AND (1)(B) HAVE BEEN MET.

12 (2) THE PROCESS FOR THE BUDGET DIRECTOR TO ADOPT A PLAN FOR GALLATIN COLLEGE IS AS FOLLOWS:

13 (A) THE MONTANA UNIVERSITY SYSTEM'S PLAN MUST BE PRESENTED THROUGH THE DEPARTMENT OF

14 ADMINISTRATION TO THE BUDGET DIRECTOR BY SEPTEMBER 30, 2023.

15 (B) THE BUDGET DIRECTOR SHALL REVIEW THE PLAN SUBMITTED IN SUBSECTION (2)(A) AND MAY:

16 (I) ADOPT THE PLAN; OR

17 (II) NOT ADOPT THE PLAN AND PROVIDE THE UNIVERSITY SYSTEM WITH INFORMATION DETAILING THE

18 REASON THE PLAN WAS NOT ADOPTED.

19 (C) IF THE PLAN IS NOT ADOPTED PURSUANT TO SUBSECTION (2)(B)(II), THE MONTANA UNIVERSITY SYSTEM

20 HAS 60 DAYS TO RESPOND TO THE BUDGET DIRECTOR WITH AMENDMENTS TO THE PLAN. THE PROCESS IN SUBSECTION

21 (2)(B) WILL THEN BE REPEATED UNTIL PLAN ADOPTION OR THE BUDGET DIRECTOR DIRECTS THE DEPARTMENT OF

22 ADMINISTRATION TO TERMINATE THE PLAN DEVELOPMENT EFFORT.

23 (D) IF THE BUDGET DIRECTOR DIRECTS THE DEPARTMENT OF ADMINISTRATION TO TERMINATE THE PLAN

24 DEVELOPMENT EFFORT, THE APPROPRIATION FOR CAPITAL DEVELOPMENT FUNDS IN SUBSECTION (1) WILL REVERT TO

25 THE CAPITAL DEVELOPMENT FUND AND THE APPROPRIATION FOR AUTHORITY IN SUBSECTION (1) WILL REVERT TO ITS

26 ORIGINATING SOURCE.

27 (3) (A) PURSUANT TO 17-7-210, IF CONSTRUCTION OF A NEW FACILITY REQUIRES AN IMMEDIATE OR

28 FUTURE INCREASE IN STATE FUNDING FOR PROGRAM EXPANSION OR OPERATIONS AND MAINTENANCE, THE LEGISLATURE

1 MAY NOT AUTHORIZE THE NEW FACILITY UNLESS IT ALSO APPROPRIATES FUNDS FOR THE INCREASE IN STATE FUNDING  
2 FOR PROGRAM EXPANSION AND OPERATIONS AND MAINTENANCE. TO THE EXTENT ALLOWED BY LAW, AT THE END OF  
3 EACH FISCAL YEAR FOLLOWING APPROVAL OF A NEW FACILITY BUT PRIOR TO RECEIPT OF ITS CERTIFICATE OF  
4 OCCUPANCY, THE APPROPRIATION MADE IN THIS SUBSECTION (3) REVERTS TO ITS ORIGINATING FUND. THE  
5 APPROPRIATION IS NOT SUBJECT TO THE PROVISIONS OF 17-7-304.

6 (B) IT IS THE LEGISLATURE’S INTENT THAT THE APPROPRIATIONS IN THIS SUBSECTION (3) BECOME PART OF  
7 THE RESPECTIVE AGENCY’S BASE BUDGET FOR THE BIENNIUM BEGINNING JULY 1, 2025.

8 (C) FOR THE BIENNIUM BEGINNING JULY 1, 2023, \$1,540,000 OF GENERAL FUNDS ARE APPROPRIATED TO  
9 THE MONTANA UNIVERSITY SYSTEM FOR THE GALLATIN COLLEGE FACILITY, PROVIDED THE CONDITIONS OF SUBSECTIONS  
10 (1) AND (2) ARE MET.

11 (D) IF THE BUDGET DIRECTOR DIRECTS THE DEPARTMENT OF ADMINISTRATION TO TERMINATE THE PLAN  
12 DEVELOPMENT EFFORT UNDER THE PROVISIONS OF SUBSECTION (2)(C), THE APPROPRIATION OF GENERAL FUND FOR  
13 PROGRAM EXPANSION OR OPERATIONS AND MAINTENANCE IS REVERTED TO THE GENERAL FUND AND WILL NOT BE  
14 INCLUDED IN THE RESPECTIVE AGENCY’S BASE BUDGET.

15  
16 NEW SECTION. SECTION 16. DEFINITIONS. FOR THE PURPOSES OF [SECTIONS 16 THROUGH 23], UNLESS  
17 OTHERWISE PROVIDED, THE FOLLOWING DEFINITIONS APPLY:

18 (1) "EMERGENCY SHELTER" MEANS ANY FACILITY, THE PRIMARY PURPOSE OF WHICH IS TO PROVIDE A  
19 TEMPORARY SHELTER FOR THE HOMELESS IN GENERAL OR FOR SPECIFIC POPULATIONS OF THE HOMELESS AND WHICH  
20 DOES NOT REQUIRE OCCUPANTS TO SIGN LEASES OR OCCUPANCY AGREEMENTS.

21 (2) "NONPROFIT CORPORATION" MEANS A DOMESTIC CORPORATION, AS DESIGNATED IN ACCORDANCE  
22 WITH 35-2-126, THAT PROVIDES EMERGENCY SHELTER FOR THE HOMELESS.

23  
24 NEW SECTION. SECTION 17. EMERGENCY SHELTER FACILITY INFRASTRUCTURE ACCOUNT -- USE. (1)  
25 THERE IS WITHIN THE STATE SPECIAL REVENUE FUND PROVIDED FOR IN 17-2-102 AN ACCOUNT CALLED THE EMERGENCY  
26 SHELTER FACILITY INFRASTRUCTURE ACCOUNT TO PROVIDE GRANT FUNDING TO NONPROFIT CORPORATIONS THAT  
27 PROVIDE EMERGENCY SHELTER FOR THE HOMELESS AND FOR ADMINISTRATIVE COSTS RELATED TO ADMINISTERING THE  
28 GRANTS. THE DEPARTMENT OF COMMERCE SHALL ADMINISTER THE ACCOUNT.

1           (2) UP TO 3% OF THE FUNDS APPROPRIATED IN [SECTION 23] MAY BE ALLOCATED FOR THE DEPARTMENT'S  
2 ADMINISTRATIVE COSTS.

4           NEW SECTION. SECTION 18. EMERGENCY SHELTER FACILITY INFRASTRUCTURE GRANTS AUTHORIZATION.

5 (1) THE DEPARTMENT OF COMMERCE IS AUTHORIZED TO MAKE UP TO \$5 MILLION IN GRANTS TO NONPROFIT  
6 CORPORATIONS FOR EMERGENCY SHELTER, PROPERTY ACQUISITION, CONSTRUCTION, SHELTER SPACE ACQUISITION, OR  
7 GENERAL CAPITAL IMPROVEMENT PROJECTS. THE GRANTS AUTHORIZED IN THIS SECTION ARE SUBJECT TO THE  
8 CONDITIONS SET FORTH IN [SECTION 20].

9           (2) THE DEPARTMENT OF COMMERCE MUST RECEIVE PROPOSALS FROM NONPROFIT CORPORATIONS FOR  
10 EMERGENCY SHELTER FACILITY INFRASTRUCTURE PROJECTS.

11           (3) FUNDING FOR PROJECTS MAY BE PROVIDED ONLY AS LONG AS THERE ARE SUFFICIENT FUNDS  
12 AVAILABLE FROM THE AMOUNT THAT WAS DEPOSITED OR TRANSFERRED INTO THE EMERGENCY SHELTER FACILITY  
13 INFRASTRUCTURE ACCOUNT FOR GRANTS ESTABLISHED IN [SECTION 17(1)]. FUNDING FOR THESE PROJECTS MUST BE  
14 MADE AVAILABLE IN THE ORDER THAT THE GRANT RECIPIENTS SATISFY THE CONDITIONS DESCRIBED IN [SECTION 20].

16           NEW SECTION. SECTION 19. ELIGIBILITY -- SUBMISSION DEADLINE -- PRIORITY -- RULEMAKING AUTHORITY.

17 (1) A NONPROFIT CORPORATION MAY APPLY TO THE DEPARTMENT OF COMMERCE FOR EMERGENCY SHELTER FACILITY  
18 INFRASTRUCTURE GRANTS UNDER [SECTION 18].

19           (2) NONPROFIT CORPORATIONS SHALL SUBMIT GRANT APPLICATIONS TO THE DEPARTMENT IN ORDER TO  
20 BE ELIGIBLE FOR FUNDING UNDER [SECTION 18].

21           (3) THE DEPARTMENT IS AUTHORIZED TO ADOPT RULES OR GUIDELINES NECESSARY TO IMPLEMENT  
22 [SECTIONS 16 THROUGH 23].

24           NEW SECTION. SECTION 20. CONDITION OF GRANTS -- DISBURSEMENT OF FUNDS. (1) THE DISBURSEMENT

25 OF GRANT FUNDS FOR THE PROJECTS CHOSEN BY THE DEPARTMENT OF COMMERCE PURSUANT TO [SECTION 18] IS  
26 SUBJECT TO COMPLETION OF THE FOLLOWING CONDITIONS:

27           (A) FOR GRANTS IN AN AMOUNT OF \$25,000 OR MORE, THE GRANT RECIPIENT SHALL DOCUMENT THE  
28 AVAILABILITY OF MATCHING FUNDS OR IN-KIND CONTRIBUTIONS OF ASSETS WITH AN APPRAISED VALUE FROM PRIVATE

1 SOURCES REPRESENTING AT LEAST \$1 IN VALUE FOR EACH \$1 OF THE GRANT.

2 (B) THE GRANT RECIPIENT SHALL EXECUTE A GRANT AGREEMENT WITH THE DEPARTMENT OF COMMERCE  
3 THAT INCLUDES A PROJECT MANAGEMENT PLAN AND REPORTING REQUIREMENTS TO TRACK THE OUTCOMES OF  
4 ALLOCATED GRANTS.

5 (C) THE GRANT RECIPIENT SHALL SATISFY OTHER SPECIFIC REQUIREMENTS CONSIDERED NECESSARY BY  
6 THE DEPARTMENT OF COMMERCE TO ACCOMPLISH THE PURPOSE OF THE PROJECT AS EVIDENCED BY THE APPLICATION  
7 TO THE DEPARTMENT.

8 (2) PROJECTS MUST ADHERE TO THE DESIGN STANDARDS REQUIRED BY APPLICABLE REGULATORY  
9 AGENCIES. RECIPIENTS OF PROGRAM FUNDS FOR PROJECTS THAT ARE NOT SUBJECT TO ANY DESIGN STANDARDS MUST  
10 COMPLY WITH GENERALLY ACCEPTED INDUSTRY STANDARDS.

11 (3) IF ACTUAL PROJECT EXPENSES ARE LOWER THAN THE PROJECTED EXPENSE OF THE PROJECT, THE  
12 DEPARTMENT SHALL REDUCE THE AMOUNT OF GRANT FUNDS TO BE PROVIDED TO GRANT RECIPIENTS.

14 NEW SECTION. SECTION 21. MAXIMUM STATE FUNDING AVAILABLE -- PER PROJECT -- PER COUNTY. (1)  
15 THE MAXIMUM AMOUNT OF STATE FUNDING ALLOCATED TO ENTITIES WITHIN ANY INDIVIDUAL COUNTY UNDER [SECTIONS  
16 16 THROUGH 23] MAY NOT EXCEED \$750,000.

17 (2) IF TOTAL APPLICATIONS WITHIN A SPECIFIC JURISDICTION EXCEED THE MAXIMUM AMOUNT ALLOWED,  
18 THE DEPARTMENT SHALL INCLUDE INPUT FROM LOCAL ELECTED OFFICIALS IN THEIR RANKING CRITERIA FOR THOSE  
19 APPLICATIONS.

21 NEW SECTION. SECTION 22. TRANSFER OF FUNDS. BY JULY 1, 2023, THE STATE TREASURER SHALL  
22 TRANSFER \$5 MILLION FROM THE GENERAL FUND TO THE EMERGENCY SHELTER FACILITY INFRASTRUCTURE ACCOUNT  
23 ESTABLISHED IN [SECTION 17].

25 NEW SECTION. SECTION 23. APPROPRIATION. THERE IS APPROPRIATED \$5 MILLION FOR THE BIENNIUM  
26 BEGINNING JULY 1, 2023, FROM THE EMERGENCY SHELTER FACILITY INFRASTRUCTURE ACCOUNT ESTABLISHED IN  
27 [SECTION 17] TO THE DEPARTMENT OF COMMERCE FOR GRANTS AS AUTHORIZED IN [SECTIONS 16 THROUGH 23].

28

1 NEW SECTION. SECTION 24. MONTANA PUBLIC SAFETY DEVELOPMENT CENTER STATE SPECIAL REVENUE

2 ACCOUNT. (1) THERE IS A MONTANA PUBLIC SAFETY DEVELOPMENT CENTER ACCOUNT IN THE STATE SPECIAL REVENUE  
3 FUND TO BE ADMINISTERED BY THE DEPARTMENT OF MILITARY AFFAIRS.

4 (2) THE PURPOSE OF THE ACCOUNT IS TO PROVIDE FUNDING FOR SUSTAINMENT OF THE MONTANA PUBLIC  
5 SAFETY DEVELOPMENT CENTER.

6 (3) THERE MUST BE DEPOSITED IN THE ACCOUNT:

7 (A) ANY REVENUE GENERATED BY USE OF THE FACILITY, INCLUDING:

8 (I) CLASSROOM RENTAL;

9 (II) PROPERTY RENTAL;

10 (III) SITE TRAINING PACKAGES; AND

11 (IV) MONTANA PUBLIC SAFETY DEVELOPMENT CENTER MEMBERSHIPS;

12 (B) ANY LEGISLATIVE APPROPRIATIONS FOR OPERATIONS AND MAINTENANCE; AND

13 (C) GIFTS, GRANTS, OR DONATIONS FOR THE PURPOSE OF SUPPORTING THE MONTANA PUBLIC SAFETY  
14 DEVELOPMENT CENTER.

15  
16 NEW SECTION. SECTION 25. CAPITAL DEVELOPMENT PROJECT APPROPRIATIONS AND AUTHORIZATION. (1)

17 THERE IS APPROPRIATED TO THE DEPARTMENT OF ADMINISTRATION \$5 MILLION OF CAPITAL DEVELOPMENT FUNDS AND  
18 \$5 MILLION OF FEDERAL SPECIAL REVENUE FOR THE BIENNIUM BEGINNING JULY 1, 2023, FOR CONSTRUCTION OF A  
19 FACILITY FOR THE DEPARTMENT OF MILITARY AFFAIRS MONTANA PUBLIC SAFETY DEVELOPMENT CENTER, CONTINGENT  
20 ON THE FOLLOWING:

21 (A) THE FORMATION OF A STEERING COMMITTEE TO DECIDE THE PRIORITIES OF THE MONTANA PUBLIC  
22 SAFETY DEVELOPMENT CENTER. THE COMMITTEE WILL BE MADE UP OF A REPRESENTATIVE FROM EACH OF THE

23 FOLLOWING:

24 (I) MONTANA FIRE CHIEFS ASSOCIATION;

25 (II) MONTANA SHERIFFS AND PEACE OFFICERS ASSOCIATION;

26 (III) DEPARTMENT OF MILITARY AFFAIRS, DIVISION OF DISASTER AND EMERGENCY SERVICES, WHO SERVES  
27 AS THE COMMITTEE CHAIR;

28 (IV) COUNTY ATTORNEY OFFICE; AND

**Amendment - 2nd Reading-yellow - Requested by: Bill Mercer - (H) Committee of the Whole**

- 2023

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Drafter: Julie Johnson, 406-444-4024

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1 (V) MONTANA REFINERY REPRESENTATIVE.

2 (B) THE BUDGET DIRECTOR SHALL ADOPT A PLAN FOR THE DEVELOPMENT AND OPERATIONS OF THE

3 MONTANA PUBLIC SAFETY DEVELOPMENT CENTER.

4 (C) PLAN DEVELOPMENT, DELIVERY, AND ADOPTION MUST BE COORDINATED THROUGH THE DEPARTMENT  
5 OF ADMINISTRATION. ALL PLAN DEVELOPMENT EFFORTS, CONTENT, AND COSTS ARE THE RESPONSIBILITY OF THE  
6 DEPARTMENT OF MILITARY AFFAIRS AND THE STEERING COMMITTEE CREATED UNDER SUBSECTION (1)(A).

7 (D) THE PLAN MUST BE SUBMITTED TO THE LEGISLATIVE FISCAL ANALYST. THE DOCUMENTS MUST BE  
8 PROVIDED IN A DIGITAL FORMAT AND MUST BE DISTRIBUTED BY THE LEGISLATIVE FISCAL ANALYST TO LEGISLATIVE  
9 FINANCE COMMITTEE WITHIN 90 DAYS OF RECEIPT OF THE PLAN DOCUMENTS. THE DEPARTMENT OF MILITARY AFFAIRS  
10 SHALL MAKE A PRESENTATION OF THE FINAL PLAN DOCUMENTS TO THE MEMBERS OF THE LEGISLATIVE FINANCE  
11 COMMITTEE.

12 (2) (A) PURSUANT TO 17-7-210, IF CONSTRUCTION OF A NEW FACILITY REQUIRES AN IMMEDIATE OR  
13 FUTURE INCREASE IN STATE FUNDING FOR PROGRAM EXPANSION OR OPERATIONS AND MAINTENANCE, THE LEGISLATURE  
14 MAY NOT AUTHORIZE THE NEW FACILITY UNLESS IT ALSO APPROPRIATES FUNDS FOR THE INCREASE IN STATE FUNDING  
15 FOR PROGRAM EXPANSION AND OPERATIONS AND MAINTENANCE. TO THE EXTENT ALLOWED BY LAW, AT THE END OF  
16 EACH FISCAL YEAR FOLLOWING APPROVAL OF A NEW FACILITY BUT PRIOR TO RECEIPT OF ITS CERTIFICATE OF  
17 OCCUPANCY, THE APPROPRIATION MADE IN THIS SUBSECTION (2) REVERTS TO ITS ORIGINATING FUND. THE  
18 APPROPRIATION IS NOT SUBJECT TO THE PROVISIONS OF 17-7-304.

19 (B) IT IS THE LEGISLATURE'S INTENT THAT THE APPROPRIATIONS IN THIS SUBSECTION (2) BECOME PART OF  
20 THE DEPARTMENT OF MILITARY AFFAIRS' BASE BUDGET FOR THE BIENNIUM BEGINNING JULY 1, 2025.

21 (C) THERE IS APPROPRIATED \$360,000 FROM THE GENERAL FUND AND \$400,000 FROM THE STATE  
22 SPECIAL REVENUE ACCOUNT ESTABLISHED IN [SECTION 24] FOR THE BIENNIUM BEGINNING JULY 1, 2025, TO THE  
23 DEPARTMENT OF MILITARY AFFAIRS FOR PROGRAM EXPANSION OR OPERATIONS AND MAINTENANCE FOR THE MONTANA  
24 PUBLIC SAFETY DEVELOPMENT CENTER.

25

26 NEW SECTION. SECTION 26. — APPROPRIATION. FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, THERE IS  
27 APPROPRIATED \$7,169,257 FROM GENERAL FUND TO THE DEPARTMENT OF CORRECTIONS TO INCREASE PROVIDER  
28 RATES TO ALLOW FOR THE CONSTRUCTION OF A SPECIAL SERVICES FACILITY.

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SECTION 26. SECTION 2, CHAPTER 461, LAWS OF 2021, IS AMENDED TO READ:

**Section 2. Major repair projects appropriations and authorizations.** The portion of section 2(1), Chapter 461, Laws of 2021, appropriating money from the major repair account to the department of administration for the indicated major repair project is amended to read:

"MSU BLGS Art Annex Safety and System UpgradesDemolition

1,200,000 500,000

1,200,000 500,000"

NEW SECTION. Section 27. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

**Section 28.** Section 1, Chapter 468, Laws of 2021, is amended to read:

**Section 1. Authorizations of and appropriations for capital projects.** The portion of section 1(4)(c), Chapter 468, Laws of 2021, appropriating money from the general fund to the Montana university system for program expansion or operations and maintenance for the indicated new facility is amended to read:

"Montana University System

UM Forestry Conservation & Science Lab \$798,659 from the general fund

MAES Research and Wool Laboratories \$389,402 \$305,298 from the general fund"

COORDINATION SECTION. SECTION 29. COORDINATION INSTRUCTION. IF HOUSE BILL NO. 839 IS NOT PASSED AND APPROVED, THEN [SECTIONS 24 AND 25 OF THIS ACT] ARE VOID.

NEW SECTION. Section 30. Effective date. [This act] is effective on passage and approval.

- END -